

WEISSMAN & MINTZ LLC

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

DANIEL D'AMBLY,

Plaintiff

v.

CHRISTIAN EXOO, et al.,

Defendants

Civ. A. No. 2:20-cv-12880-JMV-JSA

**DECLARATION OF
FLAVIO L. KOMUVES**

FLAVIO L. KOMUVES, of full age, certifies as follows:

1. I am an attorney at law admitted to practice in all federal and state courts in New Jersey. I am a member of Weissman & Mintz LLC, counsel to nonparty One People's Project, and have been assigned responsibility for this matter.

2. As part of my investigation to respond to the motion at issue, I requested and obtained the document attached hereto as **Exhibit A** from one of the other counsel in this case.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

By: /s/ Flavio L. Komuves
Flavio L. Komuves

Dated: May 8, 2023

EXHIBIT A



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May 12, 2022

VIA EMAIL AND FIRST CLASS MAIL

Patrick Trainor, Esq.
Law Office of Patrick Trainor
848 Paterson Avenue
East Rutherford, NJ 07073

Re: *Daniel D'Ambly v. Christian Exoo, et al.*
Civil Action No. 2:20-cv-12880

Dear Mr. Trainor:

We are in receipt of a subpoena that was issued by your office to defendant "Torch Antifa Network," which is related to the pending litigation referenced above. Pursuant to Federal Rule of Civil Procedure 26(d)(1), this demand is improper. Indeed, that section states, "A party may not seek discovery **from any source** before the parties have conferred as required by Rule 26(f). . . ." As you are aware, the parties have not yet conferred as required by Rule 26. As a result, your subpoena is premature and must be withdrawn.

Please feel free to contact me with any questions.

Very truly yours,

BOND, SCHOENECK & KING, PLLC

A handwritten signature in blue ink, appearing to read "Adam P. Mastroleo".

Adam P. Mastroleo

APM/clb

cc: Counsel of Record (via email)
Torch Antifa Network (via first class mail)